

MONDAY, MARCH 28, 1988

SEVENTY-FIFTH LEGISLATIVE DAY

The House met at 5:00 P.M. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Brother W. Kenneth Griffin, Barton's Creek Baptist Church, Lebanon, Tennessee, guest of Representative Joe Bell.

Representative Joe Bell led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

RULES SUSPENDED

Rep. Webb moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 648 out of order, which motion prevailed.

House Joint Resolution 0648 -- Memorials, Retirement -- Honors Joe Bewley for his many contributions to the state. by *Webb.

On motion, the rules were suspended for the immediate consideration of the resolution and the resolution was read.

* On motion of Rep. Webb, with the request that all members to be added as sponsors, the resolution was adopted by the following vote:

Ayes. 99
Noes. 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon,

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Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2106 -- Municipal Government -- Defines municipal corporation; prohibits such corporation from bidding on certain private or commercial projects. Amends TCA, Title 7, Ch. 35.

Further consideration of House Bill No. 2106, previously considered on Monday, March 21, 1988, at which time Amendment Nos. 1 and 2 were adopted.

On motion, House Bill No. 2106 was made to conform with Senate Bill No. 2295.

On motion, **Senate Bill No. 2295**, on same subject, was substituted for House Bill No. 2106.

Rep. Davis (Knox) moved that the Senate Bill No. 2295 be passed on third and final consideration.

Rep. Copeland moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2295 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

- Section _____. The provisions of this act shall not apply in any county having a population of not less than 287,700 nor more than 287,800 according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, Rep. Davis (Knox) moved that Senate Bill No. 2295, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes.	98
Noes.	0
Present and not voting.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

Representative present and not voting was: Head -- 1.

A motion to reconsider was tabled.

***House Bill No. 1965 -- Property -- Establishes a stratified fee estate if superconducting super collider locates in Tennessee.**

On motion, House Bill No. 1965 was made to conform with Senate Bill No. 2185.

On motion, **Senate Bill No. 2185**, on same subject, was substituted for House Bill No. 1965.

Rep. Bragg moved passage of Senate Bill No. 2185 on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway,

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Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

***House Bill No. 1663** -- Drugs -- Provides for drug testing of students. Amends TCA, Title 49, Ch. 6.

Rep. Davis (Gibson) moved that House Bill No. 1663 be reset on the Calendar for Monday, April 4, 1988, which motion prevailed.

House Bill No. 1564 -- Municipal Government -- Revises limits on land area permitted to be annexed by certain municipalities. Amends TCA 6-51-102.

Rep. Bell moved that House Bill No. 1564 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1564 by deleting Section 1 in its entirety and substituting the following:

Section 1 Tennessee Code Annotated, Section 6-51-102(a)(3) is amended by designating the existing language as subdivision (a)(3)(A) and by adding the following new subdivision (a)(3)(B):

(B) The provisions of subdivision (a)(3)(A) shall not apply to any municipality having a population of less than twelve thousand (12,000) according to the 1980 federal census or any subsequent federal census, and the charter of which is provided for by a private act of the legislature, and not under the general law of Title 6.

On motion, the amendment was adopted.

Rep. Bell moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1564 by adding the following to the end of the amendatory language of Section 1:

The provisions of this subdivision (a)(3)(A) shall not apply to any municipality located in any county having a population of not less than thirty-four thousand one hundred (34,100) nor greater than thirty-four thousand two hundred (34,200), or located in any county having a population of not less than thirty-seven thousand (37,000) nor greater than thirty-seven thousand one hundred (37,100), or located in any county having a population of not less than forty-nine thousand four hundred (49,400) nor greater than forty-nine thousand five hundred (49,500) each according to the 1980 federal census or any subsequent federal census.

AND FURTHER AMEND by adding the following new Section 2 and renumbering the subsequent section accordingly:

Section 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this act which can be given effect without such invalid provision or application.

On motion, the amendment was adopted.

Rep. Bell moved that House Bill No. 1564, as amended, be passed on third and final consideration.

Rep. Rhinehart moved the previous question, which motion prevailed.

Thereupon, Rep. Bell moved that House Bill No. 1564, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 94.

Representatives present and not voting were: Holcomb, Yelton -- 2.

A motion to reconsider was tabled.

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***House Bill No. 2201 -- Taxes, Sales --** Authorizes sales tax on water or telephone services. Amends TCA 67-6-702.

On motion, House Bill No. 2201 was made to conform with Senate Bill No. 2358.

On motion, Senate Bill No. 2358, on same subject, was substituted for House Bill No. 2201.

Rep. Kisber moved passage of Senate Bill No. 2358 on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1
Present and not voting.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wolfe, Wood, Mr. Speaker Murray -- 93.

Representative voting no was: Long -- 1.

Representative present and not voting was: Yelton -- 1.

A motion to reconsider was tabled.

***House Bill No. 2103 -- Chiropractors --** Allows chiropractors to discount fees and waive deductible and copayment provision of insurance contracts. Amends TCA, Title 63, Ch. 4.

Rep. Miller moved that House Bill No. 2103 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

Amendment No. 1

Amend House Bill 2103 by deleting all of the existing language after the caption and substituting instead the following:

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WHEREAS, Items (8) and (9) of Tennessee Code Annotated, Section 63-4-114 have been challenged as unconstitutional deprivations of chiropractors' rights to freedom of speech, equal protection of the law and due process; and

WHEREAS, similar provisions have been held to be unconstitutional; and

WHEREAS, the General Assembly is concerned that these provisions may infringe upon the ability of chiropractors to practice in an equitable and ethical fashion; and

WHEREAS, it appears no other health care providers in the State of Tennessee are subject to such restriction and infringements; and

WHEREAS, Those citizens who seek the benefits of chiropractic care should be entitled to do so on the same basis as those citizens who seek other forms of health care; and

WHEREAS, the interest of the state of Tennessee and the chiropractic profession may be adequately served by less restrictive provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE

SECTION 1. Tennessee Code Annotated, Section 63-4-114 is amended by deleting items (8), (9) and (11) in their entirety and redesignating the remaining items accordingly.

SECTION 2. No action of any kind may be undertaken against any licensed chiropractor in the state of Tennessee because of any alleged contravention of these items which may have taken place during their existence.

Section 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, Rep. Miller moved that House Bill No. 2103, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared,

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Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

***House Bill No. 2419 -- Unemployment Compensation -- Establishes new procedures for initial determination of claims. Amends TCA 58-7-304.**

On motion, House Bill No. 2419 was made to conform with Senate Bill No. 2427.

On motion, Senate Bill No. 2427, on same subject, was substituted for House Bill No. 2419.

Rep. Burnett moved passage of Senate Bill No. 2427 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

* Representative voting no was: Stafford -- 1.

A motion to reconsider was tabled.

House Bill No. 1791 -- Election Laws -- Effects administrative changes in election laws, makes uniform the boundary distance within which certain election activity is prohibited. Amends TCA, Title 2.

Rep. Burnett moved that House Bill No. 1791 be reset on the Calendar for Monday, April 11, 1988, which motion prevailed.

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House Bill No. 2292 -- Bonds and Undertakings, Regulation of -- Restricts creditor of local government from collecting on any obligation until all requirements are met. Amends TCA, Title 9, Ch. 21.

Rep. Burnett moved that House Bill No. 2292 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2292 by deleting subsections (b)(ii) and (b)(iii) from the amendatory language of Section 1 and by redesignating the remaining language accordingly.

On motion, the amendment was adopted.

Thereupon, Rep. Burnett moved that House Bill No. 2292, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 1787 -- Municipal Government -- Extends insurance benefits to dependents of covered employees and officials. Amends TCA 8-50-301, 304, 306.

On motion, House Bill No. 1787 was made to conform with Senate Bill No. 1632.

On motion, **Senate Bill No. 1632**, on same subject, was substituted for House Bill No. 1787.

Rep. Burnett moved passage of Senate Bill No. 1632 on third and final consideration, which motion prevailed by the following vote:

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Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 1671 -- Election Laws -- Prohibits the use of paper ballots in counties using a punch card voting system. Amends TCA, Title 2, Ch. 5, Pt. 2; Title 2, Ch. 7, Pt. 1.

On motion, House Bill No. 1671 was made to conform with Senate Bill No. 1631.

On motion, **Senate Bill No. 1631**, on same subject, was substituted for House Bill No. 1671.

Rep. Holt moved passage of Senate Bill No. 1631 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	4
Present and not voting.....	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wood, Yelton, Mr. Speaker Murray -- 91.

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Representatives voting no were: Coffey, Moody, Williams, Wolfe -- 4.

Representative present and not voting was: Lawson -- 1.

A motion to reconsider was tabled.

House Bill No. 1913 -- Veterans -- Authorizes special memorial license plate. Amends TCA, Title 55, Ch. 4.

On motion, House Bill No. 1913 was made to conform with Senate Bill No. 2126.

On motion, **Senate Bill No. 2126**, on same subject, was substituted for House Bill No. 1913.

Rep. Hillis moved passage of Senate Bill No. 2126 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 2355 -- Hospitals and Health Care Facilities -- Includes finance subsidiary of profit or not for profit institution in definition of hospital institution; includes purchase of accounts receivable in definition of project. Amends TCA, Title 48, Ch. 3, Pt. 3.

Rep. Garrett moved that House Bill No. 2355 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2355 by deleting all the language in Section 1 in its entirety following the enacting clause, and by substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 48-3-301(7) is amended by adding the language ", or any finance subsidiary of such hospital institution," immediately following the last word thereof;

On motion, the amendment was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 2355, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

***House Bill No. 2121 -- Litter Control --** Authorizes counties to impose regulations on collection of garbage. Amends TCA, Title 39, Ch. 3.

Rep. Davis (Knox) moved that House Bill No. 2121 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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House Bill No. 1551 -- Drivers' Licenses -- Prohibits oral driver's license examinations for certain persons. Amends TCA 55-7-107.

Rep. Long moved that House Bill No. 1551 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1551 by deleting the period at the end of the amendatory language in Section 1 and by adding the following:

or to any person with a medical condition, certified by a physician, which would render a written examination impractical.

On motion, the amendment was adopted.

Rep. Bushing moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1551 by deleting the period (.) at the end of the amandatory language of Section 1 of the bill (immediately after the words "...by written examination" as the bill was printed, or immediately after the words "...a written examination impractical" in the amendment recommended by the House Committee) and by inserting, instead, a comma (,) and the following additional language:

or to any handicapped child, including the learning disabled, certified by a specialist as unable to be tested by written examination.

On motion, the amendment was adopted.

Thereupon, Rep. Long moved that House Bill No. 1551, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	98
Noes.....	0

* Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner,

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Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

***House Bill No. 1127 -- Partnerships --** Revises certain provisions concerning limited partnerships. Amends TCA, Title 61, Ch. 2.

Further consideration of House Bill No. 1127, previously considered on Monday, March 21, 1988.

Rep. Dixon moved that House Bill No. 1127 be rereferred to the Commerce Committee, which motion prevailed.

House Bill No. 2038 -- Education -- Makes possession of drug paraphernalia a violation of School Security Act of 1981. Amends TCA, Title 49, Ch. 6, Pt. 42.

Further consideration of House Bill No. 2038, previously considered on Monday, March 21, 1988.

Rep. U. Jones (Shelby) moved that House Bill No. 2038 be reset on the Calendar for Thursday, March 31, 1988, which motion prevailed.

House Joint Resolution No. 0468 -- Finance and Administration, Dept. of -- Request department to study feasibility of better utilizing computerization and communications to enhance delivery of social services.

Further consideration of House Joint Resolution No. 468, previously considered on Monday, March 21, 1988.

Rep. Pruitt moved that House Joint Resolution No. 468 be adopted which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

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House Bill No. 2086 -- Courts, Juvenile -- Permits legislative bodies to designate elected clerk to serve as clerk of special juvenile court. Amends TCA 37-1-211.

Rep. Burnett moved that House Bill No. 2086 be reset on the Calendar for Thursday, March 31, 1988, which motion prevailed.

CONSENT CALENDAR

***House Joint Resolution 0453** -- Naming and Designating -- Designates 1988-89 school year as "Year of Public School Teacher".

House Joint Resolution 0630 -- Memorials, Congress -- Urges Tennessee Congressional Delegation to support Medicaid, Home, and Community Quality Services Act of 1987.

House Joint Resolution 0631 -- Memorials, Personal Achievement -- Honors Leslie Anne Sutton on being chosen First Runner-up in the High School Category of the Poster-Graphics contest.

House Joint Resolution 0632 -- Memorials, Congratulations -- Honors Linda Auxier for being named first runner up in the college category poster graphics contest.

House Joint Resolution 0633 -- Memorials, Congratulations -- Honors Judy Wilson Neighbors for being named second runner in the college category poster graphics contest.

House Joint Resolution 0634 -- Memorials, Personal Achievement -- Honors Ed Beach as first runner-up for Governor's Trophy for outstanding handicapped citizen of the year.

House Joint Resolution 0635 -- Memorials, Personal Achievement -- Honors Terrie Pooser on being chosen Second Runner-up in the High School Category of the Poster-Graphics contest.

House Joint Resolution 0636 -- Memorials, Congratulations -- Honors Bruce R. Higgenbotham for winning first place in the college category poster graphics contest.

House Joint Resolution 0637 -- Memorials, Public Service -- Commends Orange Grove Center as winner of Governor's Large Employer of the Year Award.

House Joint Resolution 0638 -- Memorials, Personal Achievement -- Honors Kelly Leigh Sutton on being chosen First Place Winner in the High School Category of the Poster-Graphics contest.

House Joint Resolution 0639 -- General Assembly, Studies -- Continues Special Joint Committee on the Need for Aid to the Handicapped initiated by HJR 256.

House Joint Resolution 0640 -- Memorials, Public Service -- Honors William E. Horton on receipt of John E. Fogarty Public Personnel Award.

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House Joint Resolution 0641 -- Memorials, Personal Achievement -- Honors William R. Gillespie on receipt of Governor's Trophy for Outstanding Handicapped Citizen of the Year.

House Joint Resolution 0642 -- Memorials, Professional Achievement -- Honors Wayne Neal, winner of Governor's Committee on Employment of Handicapped Journalism contest.

House Joint Resolution 0643 -- Memorials, Congratulations -- Commends Connie Edgar for her essay entered in the Tennessee Governor's Committee on Handicapped Employment Journalism Contest.

House Joint Resolution 0644 -- Memorials, Public Service -- Honors Richard H. Nuber of Hyde Insurance Agency in Memphis on receipt of Governor's Committee on Employment of Handicapped's Small Employer of the Year Award.

Senate Joint Resolution 0408 -- Memorials, Recognition and Thanks -- Commends Tony Cates, 1988 intern.

Senate Joint Resolution 0409 -- Memorials, Recognition and Thanks -- Commends Richard Sprouse 1988 legislative intern.

Senate Joint Resolution 0410 -- Memorials, Recognition and Thanks -- Commends Lonna Kilgore, 1988 Senate page.

Senate Joint Resolution 0416 -- Memorials, Public Service -- Honors David Crockett Post 1618 of VFW on fiftieth anniversary.

OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Joint Resolution No. 630 was objected to by Rep. Chiles.

Under the rules, House Joint Resolution No. 630 was placed at the foot of the Calendar for Wednesday, March 30, 1988.

The Clerk announced that House Joint Resolution No. 639 was placed on the Consent Calendar in error.

Rep. Turner (Hamilton) moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 1966 -- Energy -- Creates SSC Regional Authority to assist DOE in establishing superconducting super collider.

Senate Amendment No. 2

Amend House Bill No. 1966 by deleting the first sentence of the amendatory language of SECTION 2(a)(1) and substituting instead the following:

The authority shall be governed by a board of directors consisting of seventeen (17) members.

FURTHER AMEND by adding the following to the end of the amendatory language of SECTION 2(a)(1)(C):

The governor shall also appoint two (2) directors as at-large members who may reside in any of the four (4) counties. Such at-large members shall serve two (2) year terms and shall be Afro-Americans.

Rep. Bragg moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway,

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Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

House Bill No. 2241 -- Credit, Consumer -- Enacts "Tennessee Credit Services Business Act".

Senate Amendment No. 1

Amend House Bill No. 2241 by adding the following language as a new subsection to the amendatory language of Section 8.

() Any credit service business doing business under this act shall execute a surety bond with a surety company authorized to do business in this state, made payable to the state of Tennessee in the amount of ten thousand dollars (\$10,000). Such bond shall be in effect at all times and places in which a credit service business engages in business in this state. Such bond shall be for the use and benefit of any customer who may be injured or aggrieved by any credit service business which fails to comply with this act. Any person so injured or aggrieved may sue directly on the bond without assignment thereof.

Rep. Head moved that the House nonconcur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

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UNFINISHED BUSINESS

MOTION TO RECALL BILL

Pursuant to **Rule No. 54**, Rep. Naifeh moved that the Clerk request the return of Senate Bill No. 1539 from the Senate, which motion failed by the following vote:

Ayes.	39
Noes.	50
Present and not voting.	3

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Cain, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Head, Herron, Hillis, Hobbs, Holt, Ivy, Jackson, Jared, Lawson, Long, Moore (Lawrence), Naifeh, Phillips, Rhinehart, Ridgeway, Robinson (Hamilton), Stallings, Tanner, Turner (Hamilton), Ussery, Wheeler, Winningham, Wix, Yelton, Mr. Speaker Murray -- 39.

Representatives voting no were: Bewley, Byrd, Chiles, Clark, Coffey, Davis (Cocke), Davis (Knox), Dixon, Drew, Duer, Ellis, Frensley, Gaia, Good, Harrill, Hassell, Hawkins, Henry, Holcomb, Hurley, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, May, McAfee, Miller, Montgomery, Moody, Nance, Odom, Peroulas, Pruitt, Purcell, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Whitson, Williams, Wolfe, Wood -- 50.

Representatives present and not voting were: Bushing, Garrett, Love -- 3.

RULES SUSPENDED

Rep. Ellis moved to suspend **Rule No. 81 (1)**, relative to the time for placing bills on notice in Committee, so that House Joint Resolution No. 625 and House Bill No. 1450 can be heard by the Labor and Consumer Affairs Committee on Tuesday, March 29, 1988, which motion prevailed.

RULES SUSPENDED

Rep. Robinson (Davidson) moved to suspend **Rule No. 81 (1)**, relative to the time for placing bills on notice in Committee, so that Senate Joint Resolution Nos. 244 and 249 can be heard by the Transportation Committee on Wednesday, March 30, 1988, which motion prevailed.

RULES SUSPENDED

Rep. Hillis moved to suspend **Rule No. 81 (1)**, relative to the time for placing bills on notice in Committee, so that House Joint Resolutions Nos. 622, 627 and 628 can be heard by the Conservation and Environment Committee on Tuesday, March 29, 1988, which motion prevailed.

RULES SUSPENDED

Pursuant to **Rule No. 78**, Representative Williams moved that House Bill No. 2476, having been filed after the tenth legislative day, be brought to the floor of the House and placed on the calendar for Thursday, March 31, 1988, which motion prevailed by the following vote:

Ayes.	88
Noes.	6
Present and not voting.	1

Representatives voting aye were: Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Naifeh, Nance, Napier, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 88.

Representatives voting no were: Bell, Davidson, Kisber, Moore (Lawrence), Phillips, Rhinehart -- 6.

Representative present and not voting was: Gaia -- 1.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE AMENDMENTS

*Pursuant to **Rule No. 59**, the sponsor gave notice of intent to consider the following measure from the Senate on Wednesday, March 30, 1988:

House Bill No. 1483: Rep. Buck.

Pursuant to **Rule No. 59**, the sponsor gave notice of intent to consider the following measure from the Senate on Thursday, March 31, 1988:

House Bill No. 1792: Rep. Burnett.

BILL RE-REFERRED

Senate Bill No. 885 -- Education -- Permits judicial review of decision by parent or local education agency to special education review. Amends TCA 4-5-322.

Rep. Naifeh moved to recall Senate Bill No. 885 from the Judiciary Committee and held on the desk. This is necessary since Senate Bill No. 885 was referred to committee prior to the assignment of a companion House Bill. The motion prevailed by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1663: Reps. Moore (Lawrence) and Jackson added as prime sponsors.

House Bill No. 1913: Rep. Wood added as a prime sponsor.

House Bill No. 2121: Rep. Drew added as a prime sponsor.

House Bill No. 2395: Rep. McAfee added as a prime sponsor.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution 0647 -- Naming and Designating -- Designates certain bridge on SR 78 in Lake and Obion counties as "James Harold Smith Memorial Bridge". by *Tanner.

The Speaker referred House Joint Resolution No. 647 to the Transportation Committee.

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INTRODUCTION OF BILLS

House Bill No. 2487 -- Tiptonville -- Revises certain provisions relative to charter. Amends Chapter 393, Acts of 1907, as amended. by *Tanner.

Passed first consideration.

House Bill No. 2488 -- Dickson County -- Requires motor vehicle tax sticker be placed on designated place on license plate. Amends Chapter 206, Private Acts of 1976, as amended. by *Jackson.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 1647** -- Firearms and Ammunition -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1596.

Senate Bill No. 1754 -- Public Service Commission -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1493.

***Senate Bill No. 1772** -- Motor Vehicles, Titling and Registration -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1548.

***Senate Bill No. 1807** -- Mental Health and Mental Retardation, Dept. of -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2065.

Senate Bill No. 2202 -- Mental Illness -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1982.

***Senate Bill No. 2290** -- Aged Persons -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2207.

Senate Bill No. 2426 -- Teachers -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2418.

HOUSE BILLS ON SECOND CONSIDERATION

***House Bill No. 2482** -- Corporations, Not for Profit -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2483 -- Bolivar -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2484 -- Highways, Roads and Bridges -- Passed second consideration and referred to the State and Local Government Committee.

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House Bill No. 2485 -- Humboldt -- Passed second consideration and held on the Clerk's desk.

***House Bill No. 2486** -- Hamilton County -- Passed second consideration and held on the Clerk's desk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1330, 1379, 1438, 1736, 1859, 1866, 2273, 2422, 2437, 2438, 2458, 2461, 2462, 2466, 2468, 2470, 2472, 2474; House Resolution No. 108 and House Joint Resolutions Nos. 601 and 602.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1564 and House Joint Resolution No. 648 and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 2103, 2121, 2292 and 2355; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1551; and House Joint Resolutions Nos. 453, 468, 631, 632, 633, 634, 635, 636, 637, 638, 640, 641, 642, 643 and 644; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MONDAY, MARCH 28, 1966 -- SEVENTY-FIFTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1105.

The Senate concurred in House Amendments Nos. 1, 2, 4, 5 and 8, and nonconcurred in House Amendment No. 3.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 616.

The Speaker appointed a Conference Committee composed of Senators Owen, Patten and Henry to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 616.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 470, 486, 561, 604, 607, 609, 612, 613, 614, 615 and 619; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1678 and 2434; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1732, substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1496, 2153, 2436 and 2450; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with **Rule No. 48**, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2483 and 2486.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills and/or resolutions on the Calendar for Wednesday, March 30, 1988: House Bills Nos. 2483 and 2486.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

On motion of Rep. Naifeh, the House adjourned until 12:00 Noon on Wednesday, March 30, 1988.